

Planning, Design & Access Statement

***'Café Moka', 23C North Street,
Emsworth, Havant, PO10 7BY.***

***Retention of wooden pergola customer seating
area and provision of a replacement roof.***



Prepared by
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on behalf of Mrs L. Moore.

1. Introduction

This statement supports the full planning application for retention of a wooden pergola customer seating area at 23C North Street and the provision of a replacement roof.

This statement explains the nature and extent of the proposal and how it responds to the local environment, in its built and socio-economic contexts. It has regard to key national and local planning policies relating to new commercial structures and design and should be read in conjunction with the other supporting documents.



The approach to the site along North Street, from the northwest.

2. Context

This irregular-shaped previously-developed 'brownfield' site is situated on the east side of North Street in the Emsworth district centre, within Havant Borough Council's administrative area.



The approach to the site from the south, on North Street.

The application site is blocked from public view in the approach along North Street from the northwest by the premises that face west to that road. The three-storey premises of no.27 North Street (next-door-but-one to the north) forms a built backdrop in the approach along North Street, from the south. A service road beside the north boundary gives rear access to nos.23A-25 North Street.

In his 'Written Ministerial Statement: Planning for Growth' of March 2011, Decentralisation Minister Greg Clark confirmed that the *'Government's clear expectation is that the answer to development and growth should wherever*

possible be 'yes' except where this would compromise the key sustainable development principles set out in national planning policy'. Paragraph 11 of the 'National Planning Policy Framework' 2021 ('NPPF') reiterated that principle, by generating a presumption in favour of sustainable development and the approval without delay of proposals that accord with the development plan.

Paragraph 130 of the NPPF re. 'Achieving well-designed places' provides for the grant of planning permission for development of good design.

Section 38 of the 'Planning and Compulsory Purchase Act 2004' requires an application to be determined in accordance with the relevant policies of the development plan unless material considerations indicate otherwise; an element of flexibility is provided which enables decisions to be made which may disagree with the development plan. The development plan for Emsworth comprises the 'Havant Borough Core Strategy' (2011), the 'Havant Borough Local Plan (Allocations)' (2014) document and the 'Emsworth Neighbourhood Plan' (2021). Policies Map 8 ('South of Havant and Emsworth') of the development plan shows this site within the

Emsworth 'Urban Area Boundary', 'District Centre' and a 'Secondary frontage' with no special designations; it does not fall within a Flood Zone.

Core Strategy Policy CS2 ('Employment') records that *'Planning permission will be granted for development proposals that...Prioritise the use of previously developed land for the provision of new employment floorspace'*. Core Strategy Policy CS4 ('Town, District and Local Centres') generates a presumption in favour of developments that *'...Support small and independent businesses'*. Core Strategy Policy CS16 ('High Quality Design') states that planning permission will be granted for development *'...which helps to create places where people want to live, work and relax...Is well connected to and integrates with the immediate local area'* and *'...does not cause unacceptable harm to the amenity of neighbours through smell, the loss of privacy, outlook, noise and overlooking'*. Core Strategy Policy CS17 ('Concentration and Distribution of Development within the Urban Areas') provides for development that makes the most effective use of urban land. Core Strategy Policy DM10 ('Pollution') allows for the grant of planning permission for development that does not cause noise pollution and where the health/safety of existing/future users of the site or nearby occupiers/residents, is not put at risk. Allocations Policy DM21 ('Shopfronts, Signs, Security Shutters and Advertisements') records that *'Planning permission will be granted for shopfronts...where: 1.They are appropriate in size, scale and design to the character of buildings and their surroundings...2. They will not result in a cluttered appearance either on individual buildings or on the streetscene as a whole....3. They do not have a detrimental impact upon public safety.'* Notably, paragraph 10.17 of the Core Strategy recorded Havant Borough Council's recognition that *'...food, drink...uses can be important in adding to the vitality and viability of an area for residents and visitors.'*

Allocations Policy AL1 ('Presumption in Favour of Sustainable Development') states that *'When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF)...It will always work proactively with applicants to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.'* Allocations Policy AL3 ('Town, District and Local Centres') indicates that *'Planning permission will be granted for development proposals that: 1. Provide main town centre uses in the...district...centres...and so contribute to their vitality and viability.'* and *'6. Provide a shopfront within the primary shopping area with a well designed and appropriate display window.'*

Policy D1 ('General Design Policy') of the Emsworth Neighbourhood Plan records that *'a) All new developments...proposals across the neighbourhood area should be of high quality, in accordance with the other policies and the other provisions contained within this neighbourhood plan'*. Emsworth Policy D4 ('Design of Public Spaces & External Areas') states that *'a) Emsworth public spaces should...relate to local context and incorporate the highest quality design, landscaping, planting, street furniture and surfaces....c) Landscape treatment, street furniture and infrastructure should be of the highest quality, have a clear purpose, maintain uncluttered spaces and should contribute to the easy movement of people through the space.'*

In this case, the locality is characterised by commercial premises in a wide variety of formats, styles and plot sizes. The frontage properties on the east side of North Street follow the curvature of the road (see aerial photograph on cover page), with some buildings standing forward of their neighbours - eg 27 North Street (next-door, to the north) adjoins the footpath while no.25 North Street stands back and nos.23A-C North Street further back still. The frontage canopy of 25 North Street (next-door, to the north) is considered particularly noteworthy

The application site (no.23C North Street) is a semi-detached, two-storey commercial building with a café [Class E(b), previously A3]] on the ground-floor with flatbed accommodation above. The premises accommodates 8 tables inside and a further 6 tables outside, beneath the pergola. The café is open for business between 0900-1500 hours Monday-Friday, 0900-1600 hours on a Saturday and 1000-1500 hours on a Sunday. Five part-time staff are employed. A wooden pergola stands at the North Street frontage, beneath a lean-to polycarbonate roof, with several planters along the north boundary - it was erected in March 2022, to replace a dilapidated retractable canopy (it was installed in 2000) and a temporary marquee (erected during the pandemic) and provide additional tables in the open air.



The application site viewed from the southwest, on North Street.

It is submitted that the provision of this frontage pergola accords with the character of its surroundings and has not compromised any key sustainable development principles of national or local planning policy.

3. Consultation



The application site viewed from the northwest, on North Street.

In accordance with the advice proffered at paragraph 39 of the NPPF ('Pre-application engagement and front loading'), the views of Mr L. Ford (Planning Enquiry Officer) of Havant Borough Council were invited on a preliminary scheme for the provision of a wooden pergola to the shop frontage beneath a corrugated roof, to create an outside customer seating area.

Via letter of 10th May 2022 (ref: GEN/22/00304), Mr Ford stated that: *'...the proposal would not be likely to receive officer support unless the...recommendations were incorporated: The corrugated roof is*

removed and replaced with a higher quality material; and...Additional soft landscaping/ planting is proposed.' The views expressed by Mr Ford have naturally been taken into account in the formulation of this proposal.

4. Amount, Layout, Scale & Appearance

In light of the favourable presumption set down in the development plan and the favourable view expressed by Mr Ford, it is proposed that the existing wooden pergola be retained and the present polycarbonate roof be replaced with decorative wooden panels with clear acrylic sheet above.

Respect for the amenities of neighbours has been accorded priority in the formulation of this proposal. It is also proposed that a decorative wooden panel be inserted in the north corner

of the pergola and native planters be installed along the southwest and northwest elements, to soften the impact of the development.

The site would continue to be served by the existing access and refuse arrangements. The view is taken that the proposal would not cause danger or inconvenience to users of the public footpath.

In light of the intended replacement roof and side panels, the view is held that there would be no significant loss of amenity caused by noise.

In this configuration and finished in black stain, the resultant development would make more efficient use of this sustainable site in a manner that accords with the character of its surroundings and would not result in a detrimental impact on the amenities of neighbours.

5. Working Practice

To protect the amenities of neighbours, the operation of construction machinery on the site will be restricted to 0800-1800 hours Monday-Friday, 0830-1300 hours on a Saturday, with no working on Sundays or Bank Holidays. All materials and plant would be kept within the curtilage of the application site.

6. Crime & Anti-social behaviour

No special measures are considered necessary for the prevention of crime or anti-social behaviour.

7. Conclusion

It is submitted that the requirements of the development plan are *satisfied* by this proposal since it would not detract from the existing street-scene; would be in keeping with the character of its surroundings; is of a high standard of design; provides safe access for pedestrians; respects privacy, outlook and sunlight; and takes into account the prospect of criminal activity and anti-social behaviour.

Development of this site in the manner proposed would achieve more efficient use of this suburban land without harm to the character or appearance of the locality or the amenities of neighbours or users of the public footpath. It is contended that this proposal comprises an acceptable form of development that accords with the development plan and no other material considerations suggest otherwise.

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